

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

EDDIE WILLIAMS,

Petitioner,

v.

SUPERINTENDENT, SCI GREEN

Respondent.

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3:20-CV-908

(JUDGE MARIANI)


(Magistrate Judge Carlson)

ORDER

AND NOW, THIS 3rd OF MAY 2022, for the reasons set forth in this Court's accompanying Memorandum Opinion, upon *de novo* review of Magistrate Judge Carlson's Report and Recommendation (Doc. 30), Petitioner Williams' objections thereto (Doc. 36), Petitioner Williams' Petition for Writ of Habeas Corpus (Doc. 1) pursuant to 28 U.S.C. § 2254, and all other relevant documents, **IT IS HEREBY ORDERED THAT:**

1. Petitioner Williams' Petition for Writ of Habeas Corpus (Doc. 1) pursuant to 28 U.S.C. § 2254 is **CONDITIONALLY GRANTED**.
2. The Report and Recommendation (Doc. 30) is **ADOPTED IN PART AND NOT ADOPTED IN PART** for the reasons set forth in the accompanying Memorandum Opinion.
3. Petitioner Williams' conviction and sentence is **VACATED**.
4. The above-captioned action is **REMANDED** to the Court of Common Pleas of Lebanon County, Pennsylvania.

5. The Commonwealth shall retry Petitioner Williams within 120 days, or he shall be released from custody.
6. The Clerk of Court is directed to **CLOSE** the above-captioned action.



Robert D. Mariani
United States District Judge